

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TIBRUSIO MARTINEZ,

Defendant.

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CASE NO. 8:03CR269

JUDGMENT

Pursuant to the Memorandum and Order entered on this date, judgment is entered in favor of the government and against the defendant. The defendant's "Motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody" (Filing No. 27) is dismissed, with prejudice.

DATED this 10th day of November, 2005.

BY THE COURT:

s/ Joseph F. Bataillon
JOSEPH F. BATAILLON
United States District Judge